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Via CM/ECF System

The Hon. Dan Aaron Polster
Carl B. Stokes U.S. Court House
Courtroom 18B
801 West Superior Avenue
Cleveland, OH 44113-1837

Re: *West Boca Medical Center, Inc. v. AmerisourceBergen Drug Corp., et al.*
Case No. 1:18-op-45530 (Hospital Bellwether), (N.D. Ohio)
In Re: National Prescription Opiate Litigation, 1:17-md-2804 (N.D. Ohio)

Dear Judge Polster:

The Court's ruling of October 25, 2019, denying Defendants AmerisourceBergen Drug Corp., Cardinal Health, Inc., and McKesson Corp.'s Motion for Oral Argument on Motion to Dismiss the West Boca Complaint (Dkt. 888) suggests that the Court is turning its attention to the Motions to Dismiss. As the Court is aware, those motions relating to the *West Boca* case are fully briefed (Dkts. 684, 686, 689, 806, and 887) and we have submitted supplemental authority to which the Defendants have responded. (Dkts. 2618, 2681, 2705). The motions are therefore ripe for the Court's review and decision.

Should the Motions to Dismiss be denied, our law firm and the consortium of law firms representing hospitals in opioids cases would be eager to proceed in this Court, or in the Southern District of Florida if transferred pursuant to Case Management Order One, ¶12 Motions for Remand.

Alternatively, should your Honor prefer to try a hospital case closer to home, we represent St. Vincent Charity Medical Center in Cleveland. St. Vincent and its Rosary Hall have been leaders in fighting the opioid epidemic in northern Ohio, have a filed case (1:18-cv-45610) in your Court, and would be honored to serve as a trial bellwether for the hospital plaintiffs.

Respectfully submitted,



Don Barrett

cc: David R. Cohen, Esq. (via e-mail)
Francis McGovern, Esq. (via e-mail)